

REMARKS

Applicant received the Office Action dated September 16, 2008. Claims 1 and 2 have been canceled. Claim 3 has been amended to include the limitations of Claim 2. Claims 5-13 have been amended, and Claims 14 and 15 were added. In the Office Action, the Examiner stated that Claims 3-13 are allowable if rewritten in proper form.

Election

Applicant confirms election of group II, Claims 2-13. Claim 1 has been canceled. Claims 2 has been canceled, and its limitations have been incorporated into Claim 3.

Objections to the Drawings

The Examiner objected to the drawings as not disclosing a molding with two halves as recited in canceled Claim 2. The claims as amended do not include a limitation requiring a molding with two halves. Therefore, Applicant submits that the drawings show each of the features specified in the amended claims. Applicant respectfully requests that the Examiner reconsider and withdraw the objection.

Claim Rejections under 35 U.S.C. § 112

The Examiner rejected Claims 3-13 as being indefinite under 35 U.S.C. § 112. Claim 2 was rejected due to the phrase “for example.” The claim limitations “for example a beaker” and “for example a label” from canceled Claim 2 were not added to amended Claim 3. Dependent Claims 14 and 15 were added to include these limitations. In addition, Claims 5-13 were amended to replace “label” with “application.”

The Examiner rejected Claim 3 as not having an antecedent basis for, “the injection molding tool.” Claim 3 has been amended to recite “an injection molding tool.” The Examiner rejected Claims 5 and 6 as reciting the limitation “the preform cavity” without an antecedent basis. Claims 5 and 6 have been amended to depend from Claim 3, which recites the limitation “a preform cavity.” Applicant submits that Claims 3-15 are definite under 35 U.S.C. § 112. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection.

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In the Office Action, the Examiner stated that Claims 3-13 would be allowable if rewritten in proper form. Applicant submits that Claims 3-15 are written in proper form. Therefore, Applicant respectfully submits that Claims 3-15 are allowable.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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AMEND

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